

Attorney's Docket No.  
09820.114

Applicant or Patentee: Sandra Austin-Phillips et al.

Serial or Patent No.: \_\_\_\_\_

Filed or Issued: 8-12-1999

For: TRANSGENIC PLANTS AS AN ALTERNATIVE SOURCE OF LIGNOCELLULOSIC-DEGRADING ENZYME

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: Wisconsin Alumni Research Foundation

ADDRESS OF ORGANIZATION: P.O. Box 7365, Madison, WI 53707-7365

**TYPE OF ORGANIZATION**

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA

(NAME OF STATE \_\_\_\_\_)

(CITATION OF STATUTE \_\_\_\_\_)

- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA

(NAME OF STATE \_\_\_\_\_)

(CITATION OF STATUTE \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled TRANSGENIC PLANTS AS AN ALTERNATIVE SOURCE OF LIGNOCELLULOSIC-DEGRADING ENZYME

by inventor(s) Sandra Austin-Phillips et al.

described in

- ☐ the specification filed herewith.
- ☒ application serial no. 09/373,272 filed 8-12-1999
- ☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

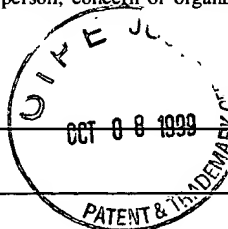
I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_



☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Carl E. Gulbrandsen

TITLE IN ORGANIZATION Director of Patents and Licensing

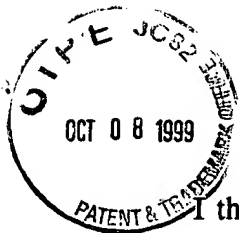
ADDRESS OF PERSON SIGNING Wisconsin Alumni Research Foundation

P.O. Box 7365, Madison, WI 53707-7365

SIGNATURE

Date

9/24/99



## **DECLARATION AND POWER OF ATTORNEY**

I the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first, and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### **TRANSGENIC PLANTS AS AN ALTERNATIVE SOURCE OF LIGNOCELLULOSIC-DEGRADING ENZYMES**

the specification of which was filed on August 12, 1999 as Application Serial No. 09/373,272.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendments referred to above.

I acknowledge the duty to disclose information material to the examination of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

I hereby claim the benefit under Section 120 or Section 119 (e)(1) of Title 35 United States Code, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Section 112 of Title 35 United States Code. I acknowledge the duty to disclose material information as defined in Section 1.56(a) Title 37 Code of Federal Regulations, which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<b>Application Serial No.</b>	<b>Filing Date</b>	<b>Status (pending, patented abandoned)</b>
<u>08/883,495</u>	<u>June 26, 1997</u>	<u>Pending</u>

And I hereby appoint:

Charles S. Sara	30,492
Joseph T. Leone	37,170
Craig A. Fieschko	39,668
Mary E. Eberle	43,599

Address all telephone calls to: **Joseph T. Leone**  
Telephone: 608-831-2100  
Facsimile: 608-831-2106

All correspondence to:

**Intellectual Property Department**  
**DEWITT ROSS & STEVENS, S.C.**  
Firststar Financial Centre  
8000 Excelsior Drive Suite 401  
Madison, WI 53717-1914

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR Sandra Austin-Phillips

INVENTOR'S SIGNATURE Sandra Austin-Phillips DATE Aug 26 1999  
Residence: Madison, Wisconsin  
Citizenship: Great Britain Post Office Address: 2137 Fox Avenue, Madison, WI 53711

FULL NAME OF JOINT OR SECOND INVENTOR Richard R. Burgess

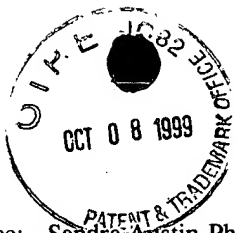
INVENTOR'S SIGNATURE Richard R. Burgess DATE Sept 7, 1999  
Residence: Madison, Wisconsin  
Citizenship: U.S.A. Post Office Address: 10 Knollwood Court, Madison, WI 53713

FULL NAME OF JOINT OR THIRD INVENTOR Thomas L. German

INVENTOR'S SIGNATURE Thomas L. German DATE Sept 17, 1999  
Residence: Hollandale, Wisconsin  
Citizenship: U.S.A. Post Office Address: 1671 Sandy Rock Road, Hollandale, WI 53544

FULL NAME OF JOINT OR FOURTH INVENTOR Thomas Ziegelhoffer

INVENTOR'S SIGNATURE Thomas Ziegelhoffer DATE Sept 7, 1999  
Residence: Madison, Wisconsin  
Citizenship: U.S.A. Post Office Address: 418 Oak Crest Avenue, Madison, WI 53705



Attorney's Docket No. 09820.114

Applicant or Patentee: Sandra Austin-Phillips et al.

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For: TRANSGENIC PLANTS AS AN ALTERNATIVE SOURCE OF LIGNOCELLULOSIC-DEGRADING ENZYME

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled TRANSGENIC PLANTS AS AN ALTERNATIVE SOURCE OF LIGNOCELLULOSIC-DEGRADING ENZYME

described in

- ☐ the specification filed herewith.
- ☒ application serial no. 09/373,272, filed 8-12-1999
- ☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern, or organization
- ☒ persons, concerns or organizations listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: Wisconsin Alumni Research Foundation

ADDRESS: P.O. Box 7365, Madison, WI 53707-7365

- ☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

NAME: \_\_\_\_\_

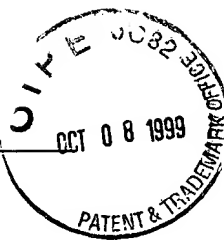
ADDRESS: \_\_\_\_\_

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I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Sandra Austin-Phillips  
Name of inventor



S. Austin-Phillips  
Signature of inventor

Date August 26th, 1999

Richard R. Burgess  
Richard R. Burgess  
Name of inventor

\_\_\_\_\_  
Signature of inventor

Date Sept. 7, 1999

Thomas L. German  
Thomas L. German  
Name of inventor

Thomas L. German  
Signature of inventor

Date Sept 17, 1999

Thomas Ziegelhoffer  
Name of inventor

Thomas Ziegelhoffer  
Signature of inventor

Date September 7, 1999